

## Remarks

In the office action, the Examiner objected to the specification and claims, and rejected the claims primarily based on U.S. Patent No. 6,285,987 issued to Roth et al. ("Roth"). Reconsideration and allowance of the application are requested.

### I. Objections to Specification

The Examiner initially objected to the specification stating that it contains "an embedded hyperlink and/or other form of browser executable code" on page 6, line 25. The specification has accordingly been amended to delete reference to a URL address, which was provided as an example of such an address. This objection should accordingly be withdrawn.

### II. Objections to Claims

The Examiner objected to the form of Claims 11-13, 25, 26, 36 and 44, stating that "URL" should be written out for definitive purposes. The claims have accordingly been so amended to overcome this formal objection.

### III. §102(e) Rejections

The Examiner rejected Claims 1-5, 7-9, 11-14, 20, 22-57, 62 and 63 under 35 U.S.C. §102(e) as being anticipated by Roth.

Claim 1 is directed to a method of profiling a Web user. The method includes providing profiles on a plurality of Web sites, monitoring which of those Web sites the user accesses, and developing a profile of the user based on the profiles of the Web sites accessed by the user.

Roth is directed to a system for auctioning online advertising. It uses cookies to collect information on the sites visited by a user, and provides this information to bidding agents of potential advertisers. Roth does not disclose or suggest the claimed method of profiling a Web user. In particular, Roth does not disclose or suggest (1) providing profiles on a plurality of Web sites or (2) developing a profile of the user based on the profiles of the Web sites accessed by the user. As the Examiner states, Roth discloses providing "characteristics" of a Web site. These characteristics, however, appear to be simply the types of sites such as, e.g., financially oriented Web sites, and are not profiles of the sites. Roth compiles information on which sites a given user has accessed. Advertisers can submit proposed bids to their bidding agents specifying, e.g., that they are willing to pay five cents for displaying an ad to a viewer who has accessed at least three financially oriented data bases within the last week. (Col. 4, lines 65-67). Roth, thus, does not in any way disclose or suggest developing profiles of users based on the profiles of the Web sites they have accessed. Each of the rejected Claims 1-5, 7-9, 11-14, 20, 22-57, 62 and 63 is therefore patentable over Roth.

Furthermore, dependent Claims 2-6 specify that the profile of the user contains demographic data. This is the user profile developed based on the profiles of the Web sites accessed by the user as specified in independent Claim 1. The Examiner contends this is disclosed by Roth in column 9, lines 1-2. Roth, however, merely discloses data including age, sex, income, etc. collected by a Web site "at viewer registration time." This information is thus provided by a user to a Web site at some registration. The information is not developed based on the profiles of the Web sites accessed by the user as specified in the claims. Claims 7 and 8, which specify that the profile of the user contains psychographic data, are similarly allowable over Roth. Claims 37-43 are also similarly allowable.

Claims 9 and 10 specify providing a database associating each of said plurality of Web sites with demographic characteristics of known persons who have accessed said sites. As specified in Claim 1, this information is used for developing a profile of the

user. This is not disclosed or suggested anywhere in Roth. These rejections should therefore be withdrawn.

Claim 12 specifies that the URL requests are identified at an ISP point of presence. This is not disclosed or suggested by Roth, which only discloses collecting information on Web sites viewed using cookies in a user's browser. This rejection should therefore be withdrawn.

Claim 23 is dependent on Claim 22 and specifies that the computer for profiling a Web user is an ISP point of presence server. The Examiner contends that this is disclosed by Web server 310 in FIGURE 3. Web server 310, however, is only a Web advertising server, and there is no disclosure or suggestion of it being an ISP point of presence server. This rejection should therefore be withdrawn.

Claim 25 specifies that the program includes a sniffer for identifying URL requests made by the user while Web surfing. Roth discloses use of cookies to collect data; it does not disclose or in any way suggest use of sniffers. This rejection should also be withdrawn.

Claim 32 is directed to a system for inferring a profile of a person using a client computer for Web surfing. The system includes a local server computer linked to the client computer for (1) providing Internet access, (2) monitoring which of a plurality of Web sites the person accesses, and (3) developing a profile of the person based on predetermined profile data of the Web sites accessed by the person. Roth does not disclose or suggest any computer that performs all these functions. For example, the Web servers 16 or 310 cited by the Examiner are Web ad servers and do not provide Internet access. This rejection should accordingly be withdrawn.

Claim 45 further specifies that the local server computer is located at an ISP point of presence. This is not disclosed or suggested by Roth. This rejection should therefore be withdrawn.

#### IV. §103(a) Rejections

The Examiner rejected Claim 10 under 35 U.S.C. § 103(a) as being obvious over Roth. Claim 10 specifies that the database associating each of the plurality of Web sites with demographic characteristics of known persons who have accessed said sites is provided by a Web site ratings service. The Examiner contends that Roth discloses purchasing information from commercial information providers, and that it would therefore be obvious to purchase information from a Web site rating service. The information Roth purchases, however, is information on viewers, and does not in any way relate to Web site profiles. In addition, Roth does not in any way suggest any need for information on Web site profiles. There is no basis for rejecting this claim as being obvious over Roth.

Claim 19 was also rejected as being obvious over Roth. Claim 19 specifies erasing records of which Web sites the user has visited after developing the user's profile to protect user privacy. This is not disclosed or in any way suggested by Roth. Roth does not even recognize the need to protect user privacy. Roth deletes the oldest HUD record when the maximum record size is reached (see Col. 17, lines 30-31). The deletion is not performed to protect user privacy, and in fact, does not protect privacy since other user records remain. This rejection should also be withdrawn.

The Examiner rejected Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of U.S. Patent No. 6,236,975 issued to Boe. Also, the Examiner rejected Claims 15-18 under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of U.S. Patent No. 6,049,777 issued to Sheena. In addition, the Examiner rejected Claims 21 and 58-61 under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of U.S. Patent No. 6,295,061 issued to Park. None of these additional references solve the deficiencies of Roth. Accordingly, these rejections should also be withdrawn.

Claims 1-63 are pending in the present application. As each claim is allowable over the cited references, issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,



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### Marked Up Version of Amended Claims

11. (Amended) The method of Claim 1 wherein monitoring which of said plurality of Web sites the user accesses comprises identifying Uniform Resource Locator (URL) requests made by the user while Web surfing.

12. (Amended) The method of Claim 11 wherein said Uniform Resource Locator (URL) requests are identified at an Internet Service Provider (ISP) point of presence.

13. (Amended) The method of Claim 12 wherein said Uniform Resource Locator (URL) requests are associated with a user and stored in a database.

25. (Amended) The computer of Claim 22 wherein the program includes a sniffer for identifying Uniform Resource Locator (URL) requests made by the user while Web surfing.

26. (Amended) The computer of Claim 22 further comprising a database in which the Uniform Resource Locator (URL) requests and associated user information are stored.

36. (Amended) The system of Claim 32 wherein said means for delivering an advertisement comprises means for delivering a Uniform Resource Locator (URL) string pointing to the advertisement.

44. (Amended) The system of Claim 32 wherein said means of monitoring which of said plurality of Web sites the person accesses comprises identifying Uniform Resource Locator (URL) requests made by the person while Web surfing.

### **Marked Up Version of Amended Paragraph in Specification**

A user of a client machine having an HTML-compatible browser (e.g., Netscape Navigator) can retrieve a Web page (namely, an HTML formatted document) of a Web site by specifying a link via the URL [(e.g., [www.yahoo.com/photography](http://www.yahoo.com/photography))]. Upon such specification, the client machine makes a transmission control protocol/Internet protocol (TCP/IP) request to the server identified in the link and receives the Web page in return.